

S P E C I F I C A T I O N A M E N D M E N T S

Please **REPLACE** the second paragraph on page 1 with the following:

The present application is a continuation-in-part of U.S. Patent Application Serial No. 09/337,906 filed June 22, 1999 and entitled "Purchasing Systems and Methods Wherein a Buyer Takes Possession at a Retailer of a Product Purchased Using a Communication Network", which issued as U.S. Patent No. 6,754,636 B1 on June 22, 2004; which is a continuation-in-part of U.S. Patent Applications Serial No. 08/889,503 filed July 8, 1997 and entitled "System and Process for Local Acquisition of Products Priced Online", which issued as U.S. Patent No. 6,249,772 June 19, 2001; Serial No. 08/889,319 filed July 8, 1997 and entitled "Conditional Purchase Offer Management System", which issued as U.S. Patent No. 6,085,169 on July 4, 2000; Now abandoned Serial No. 09/190,744 filed November 11, 1998 and entitled "Method and Apparatus for A Cryptographically Assisted Commercial Network System Designed to Facilitate Buyer-Driven Conditional Purchase Offers", which is a continuation of U.S. Patent Number 5,794,207, filed September 4, 1996; and now abandoned Serial No. 09/083,345 filed May 22, 1998 and entitled "Method and Apparatus for Managing Remote Vending Machine Transactions". The entire contents of these applications are hereby incorporated by reference.

Please **REPLACE** the third full paragraph on page 1 with the following paragraph:

The present application is also related to the subject matter of now abandoned U.S. Patent Applications Serial No. 08/943,483 filed October 3, 1997

and entitled "System and Method for Facilitating Acceptance of Conditional Purchase Offers"; now abandoned Serial No. 08/858,738 filed May 19, 1997 and entitled "System and Process for Issuing and Managing Forced Redemption Vouchers Having Alias Account Numbers" [(96-139)]; and Serial No. 08/997,680 filed December 23, 1997 and entitled "Method and Apparatus for Issuing and Managing Gift Certificates", which issued as U.S. Patent No. 6,193,155 on February 27, 2001. The entire contents of these applications are hereby incorporated by reference.

Please **REPLACE** the second full paragraph on page 10 with the following:

According to one embodiment of the present invention, the purchasing system device 300 receives a buyer offer, including a buyer-defined offer price, related to a product to be purchased. The buyer offer may be "binding" in that if a seller agrees (perhaps within a predefined period of time from the time the buyer submits his or her offer), ~~the to~~ accept the offer the buyer cannot revoke the offer. The buyer provides a payment identifier when submitting his or her offer and agrees that the purchasing system may automatically utilize the payment identifier to collect the buyer defined offer price if a seller accepts the offer. One example of a buyer offer, called a Conditional Purchase Offer (CPO), is described in U.S. Patent No. 5,794,207 and U.S. Patent Application Serial No. 08/889,319, the entire contents of which are hereby incorporated by reference. A CPO may be, for example, an electronic message from a buyer including an offer price for a product. If a seller agrees to the CPO, the buyer pays the offer amount to the purchasing system and takes possession of the product at a retailer. The purchasing system, in turn, provides a payment of the settlement price to the retailer.

Please **REPLACE** the third full paragraph on page 33 with the following:

According to one embodiment of the present invention, the purchasing system only collects an amount required to break even on the transaction (although a separate commission fee may be charged). Thus, the purchasing system may not collect the entire subsidy amount available ~~form from~~ the seller, but instead collect only as much as the purchasing system needs to avoid a loss. In other words, the subsidy amount may be a maximum subsidy amount that the purchasing system may collect.

Please **REPLACE** the second full paragraph on page 42 with the following paragraph:

The retailer transaction identifier 1802 may be, for example, a unique alphanumeric string that identifies a purchasing system transaction. As illustrated in FIG. 18, payment for the transaction having a retailer transaction identifier 1802 of "TR-000-333-111" has been "received." Moreover, with respect to this transaction, ~~a~~an payment of \$200 is expected in exchange for the transaction involving the product having a product identifier of "1806."

Please **REPLACE** the last paragraph on page 43 with the following paragraph:

The quantity sold field 1906 of this database may: (i) reflect the number of units of a given product that the purchasing system has sold to date; or (ii) reflect the number of units allotted to the purchasing system (e.g., if a manufacturer limits the quantity that may be sold through the purchasing system).

Please **REPLACE** the second full paragraph on page 46 with the following paragraph:

These databases 2300, 2400 track how much is owed to the purchasing system by each third party subsidy provider. The purchasing system device 310 may update this database, for example, every time: (i) a buyer accepts a third party offer or satisfies a third party condition, such as by applying for a credit card ~~to or~~ subscribing to a magazine; or (ii) a payment is made to the purchasing system by a third party.

Please **REPLACE** the second full paragraph on page 47 with the following paragraph:

At 2502, the purchasing system arranges for a buyer to purchase a product ~~from form~~ a seller at a first price, and arranges for the buyer to take possession of the product at a retailer that offers the product for sale at a second price at 2504. According to one embodiment of the present invention, the seller may be a party different from the retailer (e.g., a product manufacturer or the purchasing system itself).

Please **REPLACE** the last paragraph on page 52 with the following paragraph:

According to still another embodiment of the present invention, an extra fee may be charged for “guaranteed” availability at a local store. When submitting an offer, the buyer checks off a “guaranteed availability at a particular retailer” button. Upon receiving an acceptance of the buyer’s offer, the purchasing system

device 310 determines which, if any, retailer currently has the product in stock and communicates with the retailer to have the product put aside for the buyer (this may be done, for example, via e-mail or facsimile). The extra fee that the buyer pays for this guaranteed availability may be disbursed (the entire or partial amount) to the retailer which puts the product aside.

Please **REPLACE** the second full paragraph on page 57 with the following paragraph:

For example, a manufacturer may provide the purchasing system with a \$50 subsidy for each product X sold through the purchasing system. The settlement price for the product is ~~\$190~~\$150. A buyer submits a price of ~~\$150~~ \$190 with a product description that the purchasing system determines product X meets. The purchasing system accepts the buyer's offer price and fulfills the buyer's offer with product X. Thus, the purchasing system makes a \$10 profit off of the transaction (i.e., collects ~~\$150~~ \$190 from the buyer, collects \$50 from the manufacturer, and pays ~~\$190~~ \$150 to the retailer).